

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DAVID CHARLES SUTTON,

Petitioner,

v.

STATE OF GEORGIA,

Respondent.

CIVIL ACTION FILE
NO. 1:08-CV-3132-TWT

ORDER

This is a pro se habeas corpus action. It is before the Court on the Report and Recommendation [Doc. 5] of the Magistrate Judge recommending dismissing the Petition. The Court approves and adopts the Report and Recommendation as the judgment of the Court. This action is DISMISSED without prejudice.

SO ORDERED, this 2 day of December, 2008.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge